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Attorney for Trustee

IN THE UNITED STATES BANKRUPTCY COURT FOR
THE DISTRICT OF MONTANA BILLINGS DIVISION

IN RE:) Bankruptcy Case No. 14-61357-7
)
) **AGREED AMENDMENT TO**
JOHN HENRY SCHNEIDER,) **STIPULATION FOR WITHDRAWAL**
) **OF CHAPTER 7 TRUSTEE'S**
) **OBJECTIONS TO PERSONAL INJURY**
Debtor.) **CREDITORS' PROOFS OF CLAIM**
)
)

The Chapter 7 Trustee, by and through his attorney Joseph V. Womack (“Trustee”), and James A. Patten, attorney for Creditors Beverly Curtis, Michael Green, Harry Allan and Jo Ann Knopp, Scherry Lee, Estate of Russell Monaco, Harley Morrell, and Annette Thomas (collectively, “Personal Injury Creditors”) do hereby stipulate as follows:

1. By Stipulation for Withdrawal of Chapter 7 Trustee's Objections to Personal Injury Creditors' Proofs of Claim, filed herein as Doc#: 341, the Trustee and

the Personal Injury Creditors agreed to the withdrawal of the Claims of all the Personal Injury Creditors set forth in the Stipulation, including the claim of Harley Morrell, Proof of Claim #17.

2. The Claim of Harley Morrell was improperly included within the list of Personal Injury Creditors because his claim is not a personal injury/medical malpractice claim, but rather a breach of contract/wrongful discharge claim based on his employment contract with Northern Rockies Neuro-Spine, PC. and his work as a Physician Assistant under the supervision and direction of the Debtor.
3. As such, this claim was not properly included in the Stipulation and the parties agree that all references to Proof of Claim #17 and Harley Morrell are stricken from the Stipulation. In all other respects the Stipulation is ratified and confirmed.
4. With respect to the Harley Morrell breach of contract claim, the Trustee has reviewed the documents provided to support such claim and concludes such claim is valid in liability and amount. The Trustee is persuaded to this conclusion primarily by the Consent Decree with the Wyoming Board of Medicine and the March 17, 2016 correspondence from the Montana

Commissioner of Securities and Insurance to Aaron York at the Office of the U.S. Trustee.

5. This Agreed Amendment shall be filed with the Court and shall be incorporated into and become part of the Stipulation.

DATED this 20th day of May, 2016.

WALLER & WOMACK, P.C.
Suite 805 US Bank Building
303 North Broadway
Billings, MT 59101

By: /s/Joseph V. Womack
Joseph V. Womack
Attorney for Chapter 7 Trustee

**PATTEN, PETERMAN, BEKKEDAHL
& GREEN, PLLC**
2817 2nd Avenue North, Suite 300
Billings, MT 59101

By: /s/James A. Patten
James A. Patten
Attorney for Personal Injury Creditors

CERTIFICATE OF SERVICE

I, the undersigned, do hereby certify, under penalty of perjury, that on the 20th day of May, 2016, a copy of the foregoing was electronically by the Court's ECF notice to all persons/entities requesting special notice or otherwise entitled to the same and that in addition service by mailing a true and correct copy, first class mail, postage prepaid, was made to the following persons/entities who are not ECF registered users:

John Schneider
3611 Tommy Armour Circle
Billings, MT 59106

John Schneider
543 Camino de Orchidia
Encinitas, CA 92024

Creditor Mailing Matrix

By: /s/ Joseph V.Womack
Waller & Womack, PC